

ELC 6.2  
LESS SERIOUS MISCONDUCT

Less serious misconduct is conduct not warranting a sanction restricting the respondent lawyer's license to practice law. Conduct is not ordinarily considered less serious misconduct if any of the following considerations apply:

- (A) the misconduct involves the misappropriation of funds;
- (B) the misconduct results in or is likely to result in substantial prejudice to a client or other person, absent adequate provisions for restitution;
- (C) the respondent has been sanctioned in the last three years;
- (D) the misconduct is of the same nature as misconduct for which the respondent has been sanctioned or admonished in the last five years;
- (E) the misconduct involves dishonesty, deceit, fraud, or misrepresentation;
- (F) the misconduct constitutes a "serious crime" as defined in rule 7.1(a); or
- (G) the misconduct is part of a pattern of similar misconduct.

[Adopted effective October 1, 2002.]

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